

REMARKS

Claims 1, 3, 5-9 and 11 are pending in this application. By this Amendment, claims 1 and 8 are amended. Claims 2, 4 and 10 are canceled without prejudice to, or disclaimer of, the subject matter therein.

In paragraph 13 on page 4, the Office Action indicates that claims 9 and 11 are allowed. Claim 8 is amended to depend from allowed claim 9. Therefore, claim 8 should also be allowed over the prior art.

In paragraph 14 on page 4, the Office Action indicates that claim 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 is amended to incorporate all of the limitations of claim 4. Therefore, it is respectfully submitted that claim 1 is allowable.

In paragraph 2 on page 2, the Office Action rejects claims 1-3 and 5-7 under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed. It is respectfully submitted that this rejection is overcome by incorporating the allowable subject matter of claim 4 into claim 1, from which claims 3 and 5-7 depend. When including the allowable subject matter of claim 4, no essential steps are omitted. Claim 2 is canceled without prejudice to, or disclaimer of, the subject matter therein. For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-3 and 5-7 in paragraph 2 on page 2 of the Office Action be withdrawn.

In paragraph 3 on page 2, claim 8 is rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed. Claim 8 is amended to depend from allowed claim 9. It is respectfully submitted that when including the subject matter of claim 9, no essential steps are omitted in claim 8. For at least the foregoing reasons, it is respectfully requested that the rejection of claim 8 in paragraph 3 on page 2 of the Office Action be withdrawn.

In paragraph 4 on page 2, the Office Action rejects claims 8 and 10 under 35 U.S.C. §112, second paragraph as being indefinite. This rejection is respectfully traversed.

Claim 10 is canceled without prejudice to, or disclaimer of, the subject matter therein.

Regarding the recitation of a mass in claim 8, it is respectfully submitted that it is clear that the mass of the drive shaft simulator must be half the mass of the shaft to be simulated. While the drive shaft is not an element of the simulator device, one skilled in the art would have no difficulty appreciating the definiteness of this limitation. Further, the recited subject matter can have any mass, and thus cannot be explicitly defined as having a particular mass.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 8 and 10 in paragraph 4 on page 2 of the Office Action be withdrawn.

In paragraph 6-12 on pages 3 and 4, the Office Action rejects claims 1-3 and 5-8 under 35 U.S.C. §103(a) as being unpatentable over Applicant's alleged admissions in view of U.S. Patent No. 5,367,909 to Heilman et al. (hereinafter "Heilman"). This rejection is respectfully traversed.

Claim 1 is amended to incorporate the allowable subject matter of claim 4. Claims 2 and 4 are canceled without prejudice to, or disclaimer of, the subject matter therein. Claims 3 and 5-7 are allowable based at least on their dependence from claim 1 for the reasons stated above. Claim 8 is amended to depend from allowed claim 9.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-3 and 5-8 as being unpatentable over Applicant's alleged admissions in view of Heilman be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 5-9 and 11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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